

FAEGRE & BENSON LLP

2200 WELLS FARGO CENTER, 90 SOUTH SEVENTH STREET
MINNEAPOLIS, MINNESOTA 55402-3901
TELEPHONE 612-766-7000
FACSIMILE 612-766-1600

FACSIMILE TRANSMITTAL SHEET
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From: Tong Wu

Telephone Number: 612/766-6804

To: REIMERS, Annette R.
Art Unit: 3732

Fax No.: 703-872-9306
Phone No.: 703-305-3531

Patent & Trademark Office, Technology Center 3700

Inventor(s): JAMES R. MUJWID et al.	Examiner: REIMERS, Annette R.
Appln. No.: 10/685,767	Group Art Unit: 3732
Filing Date: October 14, 2003	Docket No. 75028-309284
Title: EXPANDABLE INTERVERTEBRAL IMPLANT CAGE	

Attached for filing:

Response to Election of Species Requirement (2 pages).

M2:20695010.01

If you do not receive all pages, please call the Fax Center at 612/766-1650 or Elaine Raiten at 612/766-8728.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): JAMES R. MUJWID et al.	Examiner: REIMERS, Annette R.
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Commissioner for Patents
P. O. Box 1450
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I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE
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TYPED OR PRINTED NAME OF PERSON SIGNING THIS CERTIFICATE:

Janice L. Grooms
JANICE GROOMS

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

This communication is responsive to the Office Action mailed on January 25, 2005, in which all pending claims 1-20 were subject to an election of species requirement. In particular, the position was taken that the application includes claims directed to four (4) species. The Office Action asserted that Species I is directed to Figures 1-2; Species II is directed to Figures 3-5; Species III is directed to Figures 6-8; and Species IV is directed to Figures 9-10.

By this response, Applicants elect to prosecute Species II in this application. This election is made without traverse. The claims readable on the elected Species II are: 1-20.

Applicant asserts that claims 1-20 are generic to Species I, II, III, and IV. Applicant understands that if a generic claim is allowed, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

Examination of the application is requested. No fee is believed to be necessary in connection with this response. Should an extension of time, or any fee be

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required, the applicant requests that this action be undertaken and our Deposit Account No. 06-0029 be charged for the fee.

Respectfully Submitted,

JAMES R. MUJWID et al.

By:


Tong Wu, #43,361
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-6804

Dated: February 25, 2005

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